

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY)
AVERAGE WHOLESALE PRICE)
LITIGATION)
)
)
THIS DOCUMENT RELATES TO)
01-CV-12257-PBS AND 01-CV-339)
)

MDL NO. 1456
Civil Action No. 01-12257-PBS

Hon. Patti B. Saris

MOTION FOR LEAVE TO FILE UNDER SEAL

Johnson & Johnson, Ortho Biotech Products, L.P., and Centocor, Inc. (the “Johnson & Johnson Defendants”), by their attorneys, respectfully move this Court for leave to file the following documents under seal:

1. The Johnson & Johnson Defendants’ Memorandum in Opposition to Plaintiffs’ Motion for Partial Summary Judgment Against All Track 1 Defendants;
2. The Johnson & Johnson Defendants’ Local Rule 56.1 Counter-Statement of Disputed Material Facts in Opposition to Plaintiffs’ Motion for Partial Summary Judgment Against All Track 1 Defendants;
3. Declaration of Patricia Hawley in Opposition to Plaintiffs’ Motion for Partial Summary Judgment All Track 1 Defendants;
4. Declaration of Scott Shelhamer in Opposition to Plaintiffs’ Motion for Partial Summary Judgment Against the Johnson & Johnson Defendants;
5. Declaration of Andrew D. Schau in Opposition to Plaintiffs’ Motion for Partial Summary Judgment Against the Johnson & Johnson Defendants.

Pursuant to the Protective Order entered by this Court on December 13, 2002 (the “MDL Protective Order”), the parties in the above captioned cases have designated many documents and other information produced in these cases as either “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL.” The above-listed documents incorporate—either directly or indirectly—

discovery information that has been designated “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL.” Pursuant to paragraph 15 of the MDL Protective Order, any document or pleading containing quotes from or otherwise referencing such information shall be filed under seal.

WHEREFORE, the Johnson & Johnson Defendants respectfully request that this Court grant it leave them leave to file the above-listed documents under seal.

Dated: April 7, 2006

/s/ William F. Cavanaugh, Jr.

William F. Cavanaugh, Jr.

Andrew D. Schau

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Attorneys for Johnson & Johnson, Ortho Biotech Products, L.P., and Centocor, Inc.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that I conferred with counsel for plaintiffs and was advised that plaintiffs consent to this motion.

/s/ Andrew D. Schau
Andrew D. Schau

CERTIFICATE OF SERVICE

I certify that on April 7, 2006 a true and correct copy of the foregoing motion was served on all counsel via Lexis/Nexis.

/s/ Andrew D. Schau
Andrew D. Schau